



Attorney's Docket No. 77 CIP

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one)

☐ original

☐ design

(check one, if applicable)

☐ national stage of PCT

☐ supplemental

☐ divisional

☐ continuation

☒ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Engineered Templates and Their Use in Single Primer Amplification**

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

(a) ☐ is attached hereto.

(b) ☒ U.S. patent application Serial No. 10/737,252 filed December 15, 2003, which is a continuation-in-part of U.S. Application Serial No. 10/251,085, filed September 19, 2002, which claims priority to U.S. Provisional Application No. 60/323,455, filed September 19, 2001.

(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

FOREIGN PRIORITY CLAIM

☐ I hereby claim foreign priority benefits under Title 35, U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.  
(complete (d) or (e))

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 35 USC 119
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☐ YES ☐ NO

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. §120

☒ I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT international application(s) designating the United States of America that are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §120, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Prior U.S. Application(s) or PCT International Application(s)  
Designating the U.S. For Benefit Under 35 U.S.C. §120.

U.S. APPLICATIONS

Serial No.	Filing Date	Status (Issued, pending or abandoned)
60/323,455	September 19, 2001	abandoned
10/251,085	September 19, 2002	pending

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PCT APPLICATIONS DESIGNATING THE U.S.

PCT Application No.	PCT filing date	U.S. Serial Nos. assigned if any)	Status (patented, pending, abandoned)
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POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

**MARK FARBER**, Reg. No. 34,159 of Six Landmark Square, Suite 400 Stamford, Connecticut 06901, **DAVID M. CARTER**, Reg. No. 30,949; **PETER DELUCA**, Reg. No. 32,978; **JEFFREY S. STEEN**, Reg. No. 32,063; **JOSEPH W. SCHMIDT**, Reg. No. 36,920; **RAYMOND E. FARRELL**, Reg. No. 34,816; **RUSSELL R. KASSNER**, Reg. No. 36,183; **CHRISTOPHER G. TRAINOR**, Reg. No. 39,517; **GEORGE LIKOUREZOS**, Reg. No. 40,067; **EDWARD C. MEAGHER**, Reg. No. 41,189; **FRANCESCO SARDONE**, Reg. No. 47,918; each of them of **CARTER, DELUCA, FARRELL & SCHMIDT LLP**, 445 Broad Hollow Road, Suite 225, Melville, New York 11747.

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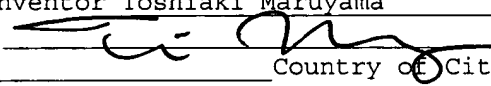
DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge

that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of second inventor Toshiaki Maruyama

Inventor's signature 

Date 4/30/04

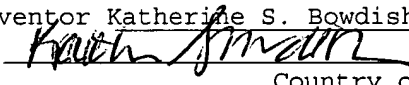
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Date 4/30/04

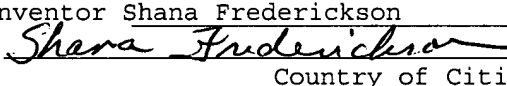
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Full name of second inventor Shana Frederickson

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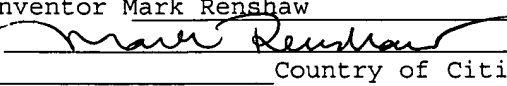
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Docket No.: 77 CIP

*DAC #*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marayama et al.  
Serial No.: 10/737,252 Examiner: Unassigned  
Filed: December 15, 2003 Group: Unassigned  
For: Engineered Templates and Their Use in Single  
Primer Amplification

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTIFICATION OF CHANGE IN LARGE ENTITY STATUS  
UNDER 37 C.F.R. 1.28(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

In accordance with 37 C.F.R. 1.28(b), Applicant hereby changes the status of the present application to small entity status.

The Commissioner is hereby authorized to charge any fees associated with this petition to Deposit Account No.01-0483. **TWO DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully Submitted,

Date: 5-4-04

  
Mark Farber  
Reg. No. 34,159  
Attorney for Applicants

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